

REMARKS

Claims 1-11 and 13-58 are pending in this application. Claims 28 and 29 have been amended to correct typographical errors and claims 50-58 are added without prejudice. No new matter is added. New claims 50-58 are intended to be identical to claims 1-9 of U.S. Patent No. 6,746,987 to Reugg (granted on June 8, 2004) as is permitted under 35 U.S.C. § 135(b)(1).

Typographical errors were corrected in claims 28 and 29. Both claims 28 and 29 included an extra comma after "5,5" which has been deleted. Claim 29 inadvertently included the term "ethyl". Since claim 29 was clearly claiming the composition containing the carboxylic acid, the inclusion of "ethyl" was an obvious mistake. See also claim 44 in which the method of use includes both the ethyl 5,5,-diphenyl-2-isoxazoline-3-carboxylate and the 5,5,-diphenyl-2-isoxazoline-3-carboxylic acid.

The amendments and the remarks made herein are not made for reasons related to patentability and, thus, do not prevent the application of the doctrine of equivalents. Support for the amended recitations in the claims and for the new claims are found throughout the specification and from the pending claims.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By: 

William F. Lawrence
Reg. No. 28,029
Howard C. Lee
Reg. No. 48,104
(212) 588-0800